

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
MICHAEL KRECHMER, a/k/a
"Michael Malice," an individual,

Plaintiff,

-against-

ANDREA K. TANTAROS, an individual;
and ASTERO, LLC, a New Jersey limited
liability company,

Defendants.
-----X

Case No.: 16-cv-7820 (KBF)

DECLARATION OF ATTORNEY JAY
M. WOLMAN

I, JAY M. WOLMAN, declare:

1. I am over 18 years of age and have first-hand knowledge of the facts set forth herein, and if called as a witness could and would testify competently thereto.

2. I am an attorney licensed to practice in the State of New York and before the Bar of this Court.

3. I am attorney of record for Plaintiff Michael Krechmer a/k/a "Michael Malice" in this matter, and I submit this declaration in support of Plaintiff's Opposition to Defendants' Motion to Dismiss the Complaint and for Related Relief (Plaintiff's "Opposition").

4. Attached to Mr. Malice's Opposition as Exhibit 1 is a true and correct copy of an email transmitted from Mr. Malice to Defendant Tantaros on March 2, 2016, as provided by Mr. Malice.

5. Attached to Mr. Malice's Opposition as Exhibit 2 is a true and correct copy of a text message transmitted from Mr. Malice to Defendant Tantaros on September 1, 2015, as provided by Mr. Malice.

6. The bolding of [REDACTED] in Exhibit 1 is believed to be an artifact of the automated search process that retrieved it; Plaintiff does not wish to suggest Tantaros sent it in bold letters.

7. The words “to yours” were unintentionally omitted from Paragraph 40 of the Verified Complaint. This omission was a scrivener’s error and would be appended to the quotation should Mr. Malice be permitted to amend his Verified Complaint. I have investigated whether the text message upon which the quotation is based was sent by Tantaros and I am sufficiently satisfied in its authenticity.

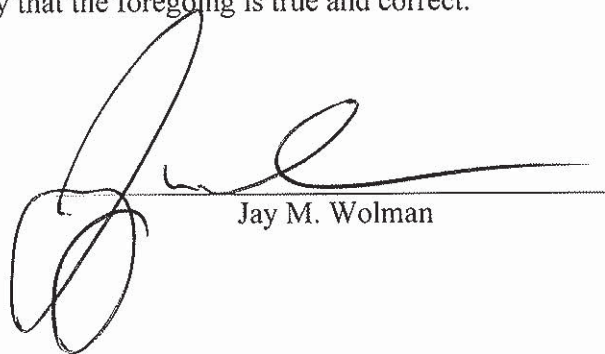
8. Attached to Mr. Malice’s Opposition as Exhibit 3 are true and correct excerpts from the galley copy of the book Tied Up In Knots.

9. Attached to Mr. Malice’s Opposition as Exhibit 4 is a true and correct copy of a letter dated October 11, 2016 from myself to attorney Judd Burstein.

10. Attached to Mr. Malice’s Opposition as Exhibit 5 is a true and correct copy of an email dated October 11, 2016 from attorney Judd Burstein to myself.

I declare under penalty of perjury that the foregoing is true and correct.

Dated October 27, 2016.



Jay M. Wolman